GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services –Commercial Taxes Department - Surprise check conducted over the Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District on 12.03.2016 – Allegations of Corruption – Common Disciplinary proceedings initiated- Inquiry under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991- Articles of Charge framed against Sri Karri Gowri Sankara Rao, Junior Assistant, Commercial Taxes Department – Orders-Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.461 **Dated:03.04.2019**
Read:

G.O.Ms.No.263, Revenue (Vigilance–II) Department, Dt:03.04.2019

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules 1991, vide reference read above, it is considered necessary to hold an enquiry against Sri Karri Gowri Sankara Rao, Junior Assistant, Commercial Taxes Department, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Karri Gowri Sankara Rao, Junior Assistant, Commercial Taxes Department, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District is directed to submit, within ten days of the receipt of this order, a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Karri Gowri Sankara Rao, Junior Assistant, Commercial Taxes Department, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

Contd.,2

6. Attention of Sri Karri Gowri Sankara Rao, Junior Assistant, Commercial Taxes Department, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Sri Karri Gowri Sankara Rao, Junior Assistant, Commercial Taxes Department, Integrated Check Post, Purushottapuram of Ichapuram Mandal, Srikakulam District (w.e., Annexures-I to IV) **through** the Commissioner of Commercial Taxes, Andhra Pradesh, Eedupugallu, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

The Commissioner of Commercial Taxes, Andhra Pradesh, Eedupugallu, Vijayawada.

Copy to:

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Revenue (Commercial Tax – I) Department.

SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI KARRI GOWRISANKARA RAO, AGE 55 YRS, JUNIOR ASSISTANT, COMMERCIAL TAX DEPARTMENT AT O/o AO, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO.3/SC-ACB/SKL/2016 SRIKAKULAM RANGE.

Sri Karri Gowri Sankara Rao, Junior Assistant, Commercial Tax Department at O/o Administrative Officer, Integrated Check Post, Purushottapuram joined in Government Service on 08.04.1995 as Record Assistant in the O/o the Government Junior College, Narasannapeta and transferred to Commercial Taxes Department on 01.04.1994 and posted at O/o the Commercial Tax Officer, Kasibugga. He was promoted as Junior Assistant on 01.09.2010 and worked as such at various places in Srikakulam District. Later he was transferred to O/o the Administrative Officer, Integrated Check Post, Purushottapuram and he is working as such from 06.11.2015 and committed the following grave mis-conduct in as much as.

CHARGE-I:-

He, while working as Assistant Commercial Tax Officer at O/o Administrative Officer, Integrated Check Post, Purushottapuram and in charge of the check post at the time of surprise check on 12.03.2016 failed to physically verify the goods that were being transported through the transport vehicles and records of the vehicles.

CHARGE-II:-

He and other officials of the check post were collecting bribe from the crew members of the transport vehicles directly and through private person's i.e. unauthorized agents.

Thus Sri Karri Gowri Sankara Rao, Assistant Commercial Tax Officer, by his above mentioned acts, has-exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI KARRI GOWRISANKARA RAO, AGE 55 YRS, JUNIOR ASSISTANT, COMMERCIAL TAX DEPARTMENT AT O/o AO, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO.3/SC-ACB/SKL/2016 SRIKAKULAM RANGE.

Sri Karri Gowri Sankara Rao, Junior Assistant, Commercial Tax Department at O/o Administrative Officer, Integrated Check Post, Purushottapuram is native of Kurupam,Vizianagaram. His date birth is 01.07.1963. He joined in Government Service on 08.04.1995 as Record Assistant in the O/o the Government Junior College, Narasannapeta and transferred to Commercial Tax Department on 01.04.1994 and posted at O/o the Commercial Tax Officer, Kasibugga. He was promoted as Junior Assistant on 01.09.2010 and worked as such at various places in Srikakulam District. Later he was transferred to O/o the Administrative Officer, Integrated Check Post, Purushottapuram and he is working as such from 06.11.2015. He is drawing basic pay of Rs.34,170/- and he is attaining superannuation on 31.07.2023. He is here-in-after called as Government Servant.

CHARGE-I:-

That Sri Karri Gowri Sankara Rao, while working as Assistant Commercial Tax Officer at O/o Administrative Officer, Integrated Check Post, Purushottapuram and in charge of the check post at the time of surprise check, failed to verify the goods physically that are being transported through the transport vehicles and records of the vehicles.

CHARGE-II:-

That Sri Karri Gown Sankara Rao and other officials of the check post are collecting bribe from the crew members of the transport vehicles directly and indirectly through private person's i.e. unauthorized agents.

Thus Sri Karri Gowri Sankara Rao, Assistant Commercial Tax Officer, by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

FACTS AND EVIDENCE:-

On receipt of credible information that the employees of the Integrated Check Post, Itchapuram, Srikakulam were indulging in corrupt practices habitually by collecting illegal gratifications directly and also through private persons by abusing their official position from the crew members/ owners of the vehicles, whose vehicles are passing through check post, without conducting physical verification of the vehicles and connected records of the vehicles and goods being transported and not collecting authorized fees/ tax dues and fines for the violations from the owners and crew members of the vehicles and

Contd.,2

causing huge loss to the Government exchequer for their personal gain, the Deputy Superintendent of Police and staff along with mediators left the Anti Corruption Bureau office in vehicles and reached the Integrated Check Post, Itchapuram and watched the happenings at the-respective counters for five minutes and organized a surprise check on the Integrated Check Post, Itchapuram in the presence of mediators by the Deputy Superintendent of Police with the assistance of other officers, staff of Anti Corruption Bureau and staff of Armed Reserve Force of Srikakulam from 04.30 AM to 09.30 AM on 12.03.2016 and the mediators prepared the proceedings.

During the proceedings, the Deputy Superintendent of Police deployed their staff at all counters and requested the mediators to watch the happenings in the counters to know how the bribe amounts are being collected in the check post. The surprise check party noticed that some persons are collecting mamools from the crew members and owners of the vehicles on behalf of the employees of the check post at the counters of commercial taxes Department and Agricultural Market Committee of Integrated Check post and apprehended the four private persons, when they tried to escape from the aforesaid counters and seized an amount of Rs.24,660/- from their possession and examined them and recorded their statements. During the proceedings, the Deputy Superintendent of Police and his staff thoroughly checked the office premises and noticed number of small wads of currency notes of Rs.25,750/- on the computer table besides the computer in the server room. On enquiry with the employees of the Commercial Taxes Department, kept quiet and an amount of Rs.1,730/- was found on the table in the agricultural market committee counter and seized an amount of Rs.27,480/- totally by the Deputy Superintendent of Police for the further enquiry purpose. During the observation, it is noticed that the drivers/crew members, who are coming for stamping on their documents, as a routine, giving bribes ranging from Rs.300/- to 500/- at Commercial Taxes Department counter and Rs.10/- at Agricultural Market Committee counter and an amount of Rs.23,500/- collected at the counters from 05.00 AM to 06.30 AM and the Deputy Superintendent of Police seized the said amount for enquiry. Further the Deputy Superintendent of Police secured the presence of drivers and examined them and recorded their statements and the seized the records for enquiry purpose.

At the time of surprise check, all the employees of Commercial Tax Department, the two Assistant Motor Vehicle Inspectors who are on duty and the employees of the Agricultural Market Committee were available in the check post building. This proves that the employees of the Check Post are not conducting physical verification of the vehicles, goods being transported as per the records.

The check post officials are supposed to check each and every vehicle passing through the check post to find out the violations made by them under M.V. Act and rules, Commercial Tax Act etc., and they are supposed to collect the tax dues and fine amounts accordingly. But they are allowing the vehicles to pass through the check-post without verifying the vehicles and the vehicle records by abusing their official position and collecting bribes thereby causing huge loss to the Government exchequer.

Contd.,3

The observations made at the check post clearly shows violation of the Government orders in the form of allowing the private persons to the counters for collecting bribe from the vehicles drivers/ cleaners on behalf of the staff of the check post.

The evidence on record is sufficient to prove that Government Servant failed to verify the goods physically that are being transported through the transport vehicles and records of the vehicles. Further the Government Servant and other officials of the check post are collecting bribe from the crew members of the transport vehicles directly and indirectly through the private person's i.e. unauthorized agents. On the date of surprise check, 4 private persons were caught and seized an amount of Rs.24,660/- from them, abandoned cash of Rs.25,750/- was recovered from the computer table besides the computer in server room in number of small wads of currency notes and an amount of Rs.1730/- was found on the table in the agricultural market committee counter. During the surprise check, it is observed that the drivers and cleaners of the vehicles are giving the amounts ranging from Rs.300/- to Rs.500/- as mamools at the counter of Commercial Taxes Counter and Rs.10/- at Agricultural Market Committee Counter-along with papers for stamping and when the amount was counted from 05.00 AM to 06.30 AM on 12.03.2016. It comes to Rs.23,500/-. Out of Rs.23,500/-, Rs.21,520/- was collected at Incoming & Outgoing Counter and Rs.1,500/- at User Charges Counter of Commercial Tax Department. Cash of Rs.480/- was collected at the Agricultural Market Committee Counter.

Thus the Government Servant, by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and thereby contravened Rule 3(1) & (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

The Government Servant therefore rendered himself liable for regular departmental action for major penalty.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

DOCUMNETARY EVIDENCE:-

1	Original mediators report dated on 12.03.2016 from 04.30 AM to 09.30 AM drafted at ICP, Purushottapuram,Itchapuram
2	Duty Register
3	Duty Roster Sheet
4	Personal Cash Declaration Register
5	Statement of Sri. Alluvada Sivaji Patnaik, S/o Suryanarayana Patnaik, age 57 years, 231/91/22, Prasanthinagar, lchapuram town, Srikakulam District
6	Statement of Sri.Kuppannagari Srinivas, S/o late Satyarao, age 29 years, Purushottapuram, lchapuram mandal, Srikakulam District
7	Statement of Sri. Neyyila Dhilleswara Rao, S/o Gangadhara Behra, age 28 years, Peddaveedhi, Purushottapuram village, Ichauram mandal, Srikakulam District
8	Statement of Sri. Nandiki Chinna, S/o late Ramulu, age 30 years, Purushottapuram village, Ichapruam mandal, Srikakulam District
9	Statement of Sri Ganjala Narayana Rao, S/o Nageswara Rao, age 50 yrs, Veerankilaku village, Pamidimukkala mandal, Krishna District. Driver of lorry AP 16 TW 1985
10	Statement of Sri Bhogadi Leelamanohar, S/o Yanavendra Rao, 22 years, Puligadda village, Avanigadda mandal, Krishna District. Driver of lorry AP 16 TV 6827
11	Statement of Sri Dodda Lakshmana Rao, S/o alte Apparao, age 44 years, East Ganugudem village, Rajanagaram mandal, East Godavari District. Lorry driver of AP 05 TF 0018
12	Statement of Sri Kuruva Eswaraiah, S/o yellayya, 31 years, Sudireddipalli village, Kurnool mandal & District. Driver of lorry AP 05 TC 0448
13	Statement of Sri Bantu Nagasuri, S/o Suribabu, aged 45 years, Chinganippula Agraharam village, Anakapalli mandal, Visakhapatnam District. Driver of lorry AP 31 TW 3459
14	Statement of Sri Duggana Venkata Ramanamurthy, S/o Somulu, age 55 years, Malkapuram, Near Durga Mandir, Visakhapatnam. Driver of lorry OR 10J 7890
15	Statement of Sri Rella Kurma Rao, S/o late Apparao, age 44 years, Patrunivalasa village, Srikakulam mandal, Srikakulam Rural mandal, Srikakulam District. Driver of lorry AP 30 V 3456
16	Statement of Sri Velichetti Suresh, S/o Ramu, age 33 years, Drivers Colony, Gajuwaka, Visakhapatnam. Driver of lorry AP 05 V 6777.
17	Reply from Administrative officer, ICP, Purushottapuram vide Rc.No.11/2016 HC dated 20.04.2016 along with service particulars of charged officer.
18	If any document required, will be submitted

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

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SECTION OFFICER

ANNEXURE-IV

ORAL EVIDENCE:-

1	Sri Suvvari Venkata Surya Prakash, S/o late Satyanarayana, age 57 years, Asst. Project Director, DWMA, Srikakulam. R/o Door No. 7-16-8/4, Tumma Street, Srikakulam
2	Sri Kamba Muralikrishna, S/o late Lingaraju, age 52 years, Dy. Statitical Officer, O/o Project Director, DWMA, Srikakulam. R/o 4-1-156/1, Kisan Seeds beside, Nanubala Street, Srikakulam. LW-1 & 2 speak about their presence as official mediators at the time of surprise check conducted on the integrated check post and observation of happenings at the check post and preparation of the proceedings etc facts.
3	Sri. Alluvada Sivaji Patnaik, S/o Suryanarayana Patnaik, age 57 years,-231/91/22, Prasanthinagar, Ichapuram town, Srikakulam District
4	Sri.Kuppannagari Srinivas, S/o late Satyarao, age 29 years, Purushottapuram, Ichapuram mandal, Srikakulam District.
5	Sri. Neyyila Dhilleswara Rao, S/o Gangadhara Behra, age 28 years, Peddaveedhi, Purushottapuram village, Ichauram mandal, Srikakulam District
6	Sri. Nandiki Chinna, S/o late Ramulu, age 30 years, Purushottapuram village, Ichapruam mandal, Srikakulam District LW-3 to 6 speak that they are private persons engaged by the officials of ICP, Purushottapuram for collecting mamools from the transport crew for stamping on the papers of the vehicles that are being passed through the check post without verifying the records and goods of the vehicles.
7	Sri Ganjala Narayana Rao, S/o Nageswara Rao, age 50 yrs, Veerankilaku village, Pamidimukkala mandal, Krishna District. Driver of lorry AP 16 TW 1985
8	Sri Bhogadi Leelamanohar, S/o Yanavendra Rao, 22 years, Puligadda village, Avanigadda mandal, Krishna District. Driver of lorry AP 16 TV 6827
9	Sri Dodda Lakshmana Rao, S/o alte Apparao, age 44 years, East Ganugudem village, Rajanagaram mandal, East Godavari District. Lorry driver of AP 05 TF 0018
10	Sri Kuruva Eswaraiah, S/o yellayya, 31 years, Sudireddipalli village, Kurnool mandal & District. Driver of lorry AP 05 TC 0448
11	Sri Bantu Nagasuri, S/o Suribabu, aged 45 years, Chinganippula Agraharam village, Anakapalli mandal, Visakhapatnam District. Driver of lorry AP 31 TW 3459
12	Sri Duggana Venkata Ramanamurthy, S/o Somulu, age 55 years, Malkapuram, Near Durga Mandir, Visakhapatnam. Driver of lorry OR 10J 7890
13	Sri Rella Kurma Rao, S/o late Apparao, age 44 years, Patrunivalasa village, Srikakulam mandal, Srikakulam Rural mandal, Srikakulam District. Driver of lorry AP 30 V 3456
14	Sri Velichetti Suresh, S/o Ramu, age 33 years, Drivers Colony, Gajuwaka, Visakhapatnam. Driver of lorry AP 05 V 6777. LW-8 to 15 speak that they are crew members and the check post officials used to demand them to pay bribe/mamools and also speaks about collection of mamools by the private persons

	ranging from Rs.300/- to Rs.500/- to the staff of the CT dept and Rs.10/- to the staff of AMC of check post whose vehicles are passing through the ICP without causing any undue obstructions in verification of their vehicle records, permits and other documents.
15	Sri. S.Ananth, Head Constable. 1356 of ACB, Srikakulam Range
16	Sri T.Rama Rao, PC 2336 of ACB, Srikakulam Range
17	Sri viswanadham, PC 962 of ACB, Srikakulam Range
18	Sri. L.Chinnam Naidu, PC 486 of ACB, Srikakulam Range
19	Sri. T.Ramesh Babu, PC 553 of ACB, Srikakulam Range. LW-16 to 20 are ACB officials and they speak of their assisting the DSP, ACB during the surprise check and observations on the happening at the counters of check post.
20	Sri. K.Ranga Raju, Deputy Superintendent of Police, ACB, Srikakulam Range. He speaks to the fact of his supervision of surprise check conducted on the ICP, Itchapuram and observations on the happening at the counters of check post, about the collection of mamools by the officials of check post from the transport drivers, apprehension of the private persons, seizure of amount, relevant documents and registers during the proceedings.
21	Sri. P.Srinivas Rao, Inspector of police, ACB, Srikakulam Range. He speaks to the facts of his assisting the DSP, ACB during the surprise check and observations on the happening at the counters of check post and obtained' required information from concerned department and submitted the detailed report to the HO.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

//FORWARDED:: BY ORDER//

SECTION OFFICER